

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P. No. 37081 of 2015

I.P. Yeasudoss

..Petitioner

Vs.

1. State rep. by
The Commissioner of Police,
Vepery, Chennai - 600 017.

2. The Inspector of Police,
M-1, Puzhal Police Station,
Chennai.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 1st respondent to consider and grant permission to conduct fasting on 30.11.2015 on the basis of the representation dated 12.11.2015 by the petitioner.

For Petitioner :: Mr.S. Shankar

For Respondents :: Mr.V. Subbiah,
Special Govt. Pleader

O R D E R

The petitioner is running a Trust. On 05.11.2015, the petitioner submitted a representation to the 2nd respondent seeking permission to conduct fasting to protest against the misuse of power by named officials. As there was no response, the petitioner sent another representation with the very same request to the 1st respondent on 12.11.2015. As the request of the petitioner was not considered by either of the respondents, the present writ petition is filed.

2. Learned counsel for the petitioner submitted that what the petitioner wants is to show his protest, in a democratic

way, against some named officials, who are inimically disposed towards the Trust and its members. According to the learned counsel, the proposed fasting is only for one day and permission can be given in any place within the jurisdiction of the 2nd respondent.

3. On the other hand, learned Special Government Pleader appearing for the respondents would submit that there are cases pending against the petitioner and there are no bona fides in the request made by the petitioner. Further, according to him, in view of the torrential rains, it is impossible to consider the request of the petitioner as the general public would be affected.

4. What the petitioner wants is to conduct fasting to show his protest in a democratic way against the alleged illegal activities of named officials by misusing their power. Such a request cannot be denied and at best, the respondents can impose restrictions, which are reasonable. If the permission cannot be granted, in view of the ongoing rains, then the same can be considered at a later point of time.

5. Accordingly, the writ petition is disposed of directing the respondents to grant permission to the petitioner to conduct fasting for one day, on 12.12.2015. It is made clear that the time, venue and the manner, in which the fasting is to be conducted, can be regulated by the respondents. Appropriate orders will have to be passed, in this regard, within a period of one week from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-II)

True Copy सत्यमेव जयते
Sub Assistant Registrar

To

1. The Commissioner of Police,
Vepery, Chennai - 600 017.

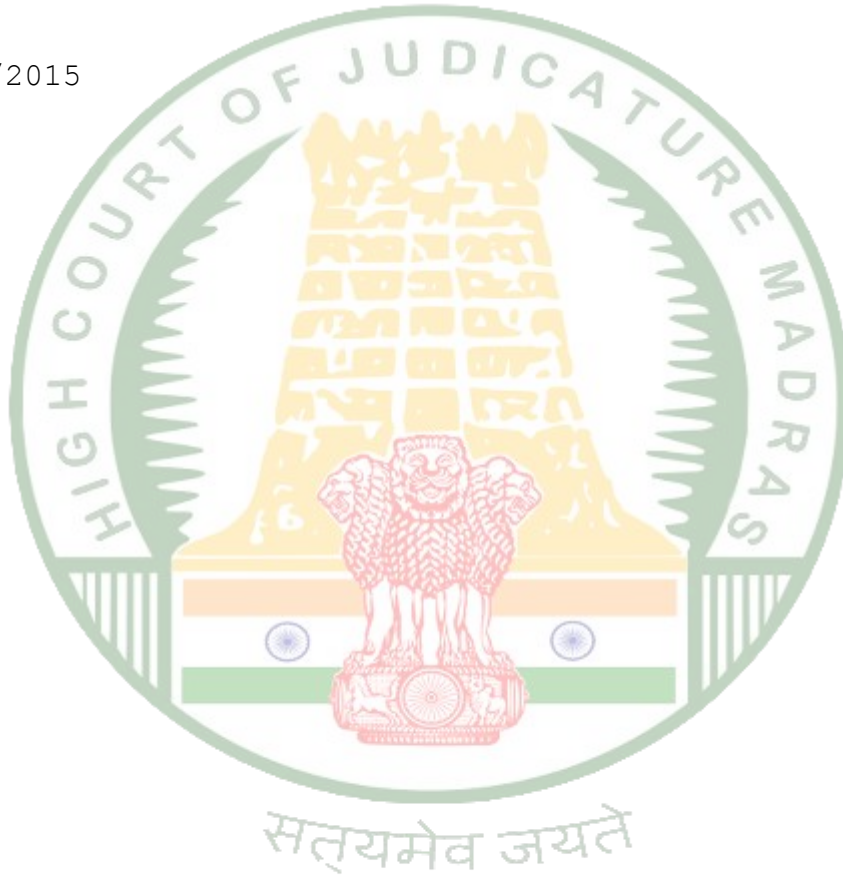
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2. The Inspector of Police,
M-1, Puzhal Police Station,
Chennai.

+1cc to M/S.Shankar, Advocate sr.64123
+1cc to The Government Pleader Sr.64535

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srg 30/11/2015



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